

**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**

WYMAN GORDON TRU-FORM, LLC,
Employer,

and

UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED-INDUSTRIAL AND SERVICE
WORKERS INTERNATIONAL UNION,
AFL-CIO/CLC,

Union.

Case Nos.	04-CA-182126
	04-CA-186281
	04-CA-188990

WILLIAM BERLEW’S MOTION TO INTERVENE

1. On March 8, 2018, William Berlew (“Berlew”) filed a Motion to Intervene in the unfair labor practice hearing held in the above captioned case.
2. On March 14, Administrative Law Judge Arthur Amchan (“ALJ” or “ALJ Amchan”) denied Berlew’s Motion to Intervene as a full party. ALJ Amchan did grant Berlew the right to file a post-hearing brief.
3. On March 15, Berlew filed a request for special permission to appeal his denial of intervention to the Board. On March 19, the Board issued an order finding the ALJ did not abuse his discretion in denying intervention.
4. On July 13, ALJ Amchan issued a Recommended Decision and Order reinstating the United Steelworkers as Berlew’s exclusive representative.
5. Berlew renews his Motion to Intervene in this case before the Board. In the past, the Board has allowed putative intervenors who were denied intervention before or at the hearing to file motions to intervene once proceedings reach the Board. *Camay Drilling Co.*, 239 NLRB 997 (1978). The Board has also ruled on exceptions from putative intervenors without a motion to

intervene. *Veritas Health Serv.*, 363 NLRB No. 108, slip op. at *1 n.1 (2016); *Latino Express, Inc.*, 360 NLRB 911, 911 n.2 (2014). Out of an abundance of caution, Berlew files this motion as well as exceptions and a brief in support to comply with both lines of cases.

6. Berlew requests that his motion be granted and, if necessary, the hearing re-opened, for the reasons stated within his brief in support of his motion and exceptions.

Respectfully Submitted,

/s/ Aaron B. Solem

Aaron B. Solem
c/o National Right to Work Legal
Defense Foundation, Inc.
8001 Braddock Road, Suite 600
Springfield, VA
abs@nrtw.org

September 17, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Intervene was filed electronically with the Executive Secretary using the NLRB e-filing system, and copies were sent to the following additional parties via e-mail as noted:

National Labor Relations Board
Office of the Executive Secretary
1015 Half Street SE
Washington, D.C. 20570-0001
Via e-filing

Lori Armstrong Halber
Rick Grimaldi
Samantha Bononno
Counsel for Respondent
lhalber@fisherphillips.com
rgrimaldi@fisherphillips.com
sbononno@fisherphillips.com

Nathan Kilbert
Antonia Domingo
Counsel for Charging Party
nkilbert@usw.org
adomingo@usw.org

Mark Kaltenbach
Counsel for the General Counsel
Mark.Kaltenbach@nrlb.gov

September 17, 2018

/s/ Aaron B. Solem
Aaron B. Solem